

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-12 are currently being prosecuted. The Examiner is respectfully requested to reconsider the restriction requirement in view of the remarks as set forth hereinbelow.

The Examiner has set forth a restriction requirement with regard to claims 1-12. The Examiner's Restriction Requirement sets forth the following grouping of the claims:

GROUP	CLAIMS	CLASSIFICATION
I	1-8	drawn to an adornment article
II	9-12	drawn to a method of making an adornment article

As set forth in Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for a proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

Applicant respectfully submits that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. A review of the subject matter set forth in claims 1-8 would include a review of class 602, subclass 41 and class 602, subclass

900. Thus, a different field of search really does not exist with regard to the claims of the present application.

In order to be responsive to the Examiner's restriction requirement, claims 1-8 have been initially elected. The Examiner is respectfully requested to reconsider his restriction requirement and act on all of the claims in the present application. If the Examiner does persist in his restriction requirement, the right to file a divisional application directed to the non-elected claims at a later date, if desired, is reserved.

CLAIM FOR PRIORITY

The Examiner is respectfully requested to acknowledge Applicants' claim for foreign priority in the next Office Action.

DRAWINGS

The Examiner has not approved the Formal Drawings submitted by the Applicants. It is respectfully submitted that the drawings comply with the requirements of the USPTO. If the Examiner has any objections to the Formal Drawings he is respectfully requested to contact the undersigned as soon as possible so that appropriate action may be taken. No further action is believed to be necessary at this time unless the undersigned receives a notice from the Examiner.

Favorable action on the present application is earnestly solicited.

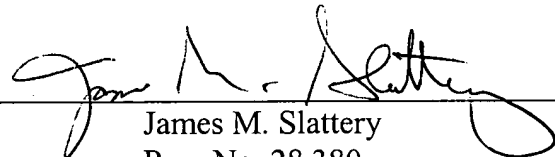
Application No. 10/644,031
Office Action dated May 2, 2006
Response filed June 2, 2006

Attny Dkt: 0525-0208P
Art Unit 3743
Page 4 of 4

Please charge any fees or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to
Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380

JMS/mmi
(703) 205-8000

P.O. Box 747
Falls Church, VA 22040-0747